



**State of Vermont**  
**Vermont Department of Education**  
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## MEMORANDUM

**To:** Superintendents, Principals  
**From:** Commissioner Armando Vilaseca  
(Questions may be addressed to Mark Oettinger, General Counsel, (802) 828-3135)  
**Date:** December 2, 2009  
**Subject:** Policy Recommendations for Hiring Substitute Teachers

Under Vermont Standards Board for Professional Educators' Rule 5381, local school boards are responsible for adopting policies regarding employment qualifications of substitute teachers. The only specific requirement in that rule, however, is that each policy require that the substitute teacher have graduated from high school. Obviously, much more rigorous hiring practices are indicated, especially given the risks involved.

We would like to emphasize the importance of exercising a high degree of due diligence in the hiring of substitute teachers. As a starting point, pursuant to 16 V.S.A. §§ 255 and 256, a fingerprint-supported criminal record check is required for any person whom a superintendent or headmaster is prepared to recommend for employment. That process alone, however, may not turn up all of the information that would be critical to the hiring process, as a district would certainly want to decline to offer employment to a would-be substitute teacher for known past conduct that, while not criminal, was inappropriate, and may put future students at risk.

To promote student safety, therefore, we strongly recommend that, in addition to criminal background checks, at a minimum, districts incorporate the following guidelines into their policies and practices for the hiring of substitute teachers:

- Require candidates to list all previous employers on their job applications;
- Contact, at a minimum, the candidate's two most recent employers for reference checks;
- Conduct thorough background and reference checks. This includes contacting a candidate's recent employers – particularly a superintendent or a senior level administrator in the school district(s) where the candidate worked previously – to ensure that all relevant information is provided. Avoid references from friends and relatives;
- Do not accept letters of reference as a substitute for telephonic inquiries;
- Inquire as to the applicant's eligibility for re-employment at the previous district(s), and inquire into the reasons that the applicant left the previous job(s); and
- Use a checklist and keep documentation of your reference calls.

Thank you for your time and consideration to this important matter.